

AMENDED IN SENATE AUGUST 29, 2003

AMENDED IN SENATE JUNE 25, 2003

AMENDED IN ASSEMBLY MAY 5, 2003

AMENDED IN ASSEMBLY APRIL 8, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

## ASSEMBLY BILL

**No. 1679**

**Introduced by Committee on Elections, Redistricting and  
Constitutional Amendments (Longville (Chair), Jerome Horton,  
Levine, and Nunez)**

February 21, 2003

---

An act to amend Sections 13, 302, 321, 1303, 2187, 2194, ~~3103,~~  
~~3304,~~ 4101, ~~6086,~~ ~~6201,~~ 10405, 10411, 14105, 15641, 17502, 17503,  
and 19005 of, *and to repeal Sections 6022, 6083, 6084, 6085, 6202,  
~~6203, and 6204 of,~~ the Elections Code, relating to elections.*

### LEGISLATIVE COUNSEL'S DIGEST

AB 1679, as amended, Committee on Elections, Redistricting and Constitutional Amendments. Elections: procedures *and the Democratic Presidential Primary*.

(1) Existing law defines a “ballot card” and specifies the procedures that apply, and do not apply, to separate write-in ballots used in an election in which a punchcard voting system is used.

This bill would make a technical change by updating an applicable statutory cross-reference in this provision.

(2) Existing law requires, generally, that a general election of special district governing board members be held on a specified date in

November of each odd-numbered year, unless the principal act of the district provides that the election shall be held on another date set forth in specified code sections.

This bill would make a technical change by updating an applicable statutory cross-reference in this provision.

(3) Existing law defines the term “elector” to include any person who is a United States citizen 18 years of age or older and a resident of an election precinct at least 29 days prior to an election.

This bill would make a technical change by instead requiring residency 15 days prior to an election.

(4) Existing law requires counties to send certain voter registration data to the Secretary of State in accordance with a specified schedule. It requires the data to be sent not less than 10 days prior to the primary election or general election with respect to voters registered before the 28th day prior to the primary election or general election, respectively, among other things. Existing law, however, allows voters to register up to the 14th day prior to an election.

This bill would make a technical change by instead requiring the data to be sent not less than 7 days prior to the primary or general election with respect to voters registered before the 14th day prior to the primary or general election.

(5) Existing law requires that specified voter registration card information, including the voter’s home address, be confidential and not be made routinely available to the public. Disclosure of the voter’s home address may be made for limited purposes, including whenever a person’s vote is challenged pursuant to specified provisions of law.

This bill would make a technical change by updating certain applicable statutory cross-references in this provision.

(6) Existing law permits a voter to write the name of a candidate for any public office on the ballot of an election, with certain requirements.

This bill would make technical changes by updating applicable statutory cross-references in these provisions.

(7) Existing law requires the elections official, for a mail ballot election, to mail the combined sample ballot and mail ballot during a specified time period before the election, notwithstanding specified statutory provisions.

This bill would make a technical change by updating certain applicable statutory cross-references in this provision.

(8) *Existing law provides certain procedures relating to conducting the Democratic Presidential Primary, including procedures relating to*



*the selection of delegates to represent the state at the national convention of the Democratic Party.*

*This bill would revise these procedures and delete certain requirements related to the selection of delegates.*

(9) Existing law authorizes the Registrar-Recorder of the County of Los Angeles and the Registrar of Voters of Orange County, by county agreement, each to perform on behalf of the other duties relating to the conduct of an election of governing board members for any school district whose territory lies within both counties, where the election is consolidated with a primary, municipal, or general election under a specified provision of law.

This bill would make a technical change by updating an applicable statutory cross-reference in this provision.

~~(9)~~

(10) Existing law requires, under specified circumstances, that where an election called by the legislative body of a city is consolidated with an election held in the county in which the city is located, the canvass of the election be made in accordance with specified provisions of law.

This bill would make a technical change by updating a cross-reference to an applicable article of law in this provision.

~~(10)~~

(11) Existing law requires the elections official, on election day, to furnish to precinct officers specified precinct supplies, including instruction cards for voters containing specified provisions of law. It also requires the elections official to supply a sufficient number of ink pens or pencils for the purpose of permitting voters to write in on the ballot the name of a candidate who has qualified to have his or her name counted under specified provisions of law.

~~(11)~~

(12) This bill would make technical changes by updating applicable statutory cross-references in these provisions.

~~(12)~~

(13) Existing law requires that, where the district attorney petitions the court for a public recount of ballots tabulated by a voting system, a specified provision of law requiring the computer vote count program be returned to the county elections official within specified time periods shall apply unless the court orders the program held pending the conclusion of litigation challenging the outcome of the election.

This bill would make a technical change by updating an applicable statutory cross-reference in this provision.

~~(13)~~

(14) Existing law requires the elections official, for a specified time period, to preserve certain records for certain federal elections, and for certain state or local elections, including an order appointing members of precinct boards and designating polling places as required by a specified provision of law.

This bill would make a technical change by updating an applicable statutory cross-reference in these provisions.

~~(14)~~

(15) Existing law provides that in the case of electrical failure or other emergency affecting a voting system, the elections official may direct that the ballots be marked by pencil or ink, and may duplicate the voted ballot cards as provided in a specified provision of law and count the voted ballots pursuant to a specified article of law.

This bill would make technical changes by updating applicable cross-references to a statutory provision and an article of law in this provision.

*(16) This bill would incorporate additional changes in Section 2194 of the Elections Code proposed by SB 613, that would become operative only if SB 613 and this bill are both chaptered and become effective on or before January 1, 2004, and this bill is chaptered last.*

*(17) This bill would incorporate additional changes in Section 14105 of the Elections Code proposed by AB 177, that would become operative only if AB 177 and this bill are both chaptered and become effective on or before January 1, 2004, and this bill is chaptered last.*

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 13 of the Elections Code is amended to  
2 read:

3 13. (a) No person shall be considered a legally qualified  
4 candidate for any office or party nomination for a partisan office  
5 under the laws of this state unless that person has filed a declaration  
6 of candidacy or statement of write-in candidacy with the proper  
7 official for the particular election or primary, or is entitled to have  
8 his or her name placed on a general election ballot by reason of



1 having been nominated at a primary election, or having been  
2 selected to fill a vacancy on the general election ballot as provided  
3 in Section 8806, or having been selected as an independent  
4 candidate pursuant to Section 8304.

5 (b) Nothing in this section shall be construed as preventing or  
6 prohibiting any qualified voter of this state from casting a ballot  
7 for any person by writing the name of that person on the ballot, or  
8 from having that ballot counted or tabulated, nor shall any  
9 provision of this section be construed as preventing or prohibiting  
10 any person from standing or campaigning for any elective office  
11 by means of a “write-in” campaign. However, nothing in this  
12 section shall be construed as an exception to the requirements of  
13 Section 15341.

14 (c) It is the intent of the Legislature, in enacting this section, to  
15 enable the Federal Communications Commission to determine  
16 who is a “legally qualified candidate” in this state for the purposes  
17 of administering Section 315 of Title 47 of the United States Code.

18 SEC. 2. Section 302 of the Elections Code is amended to read:

19 302. “Ballot card” means a card or a number of cards upon  
20 which are printed, or identified by reference to the ballot, the  
21 names of candidates for nomination or election to one or more  
22 offices or the ballot titles of one or more measures. The ballot card  
23 shall also contain proper blank spaces to allow the voter to write  
24 in names not printed on the ballot unless a separate write-in ballot  
25 is used. The separate write-in ballot may be a paper ballot, a card,  
26 or the envelope used to enclose a ballot card. Determination of the  
27 format of a separate write-in ballot shall be within the discretion  
28 of the elections board. The separate write-in ballot shall provide  
29 a blank space followed by the word “office” and a second blank  
30 space followed by the word “name” for purposes of facilitating  
31 write-in votes for offices for which write-in votes may be cast, or  
32 may provide a space for writing in the name followed by a space  
33 for punching or slotting in order that the vote may be tabulated. All  
34 separate write-in ballots may, in the discretion of the elections  
35 board, have attached thereto two stubs that comply with Section  
36 13261 regarding the stubs attached to a ballot card, except that the  
37 information required under subdivisions (c) through (g) of Section  
38 13261 and instructions to voters on how to vote for persons whose  
39 names do not appear on the ballot may be printed on the write-in  
40 ballot and not upon a stub. Any serial numbers appearing on the

1 write-in ballot stubs need not be identical to the serial numbers  
2 appearing on the stubs attached to the ballot card or cards handed  
3 to the voter. Sections 13002 through 13007 shall not apply to the  
4 preparation and composition of separate write-in ballots  
5 authorized by this section. Sections 14403 and 14404 shall not  
6 apply to separate write-in ballots used in an election in which a  
7 punchcard voting system is used.

8 SEC. 3. Section 321 of the Elections Code is amended to read:

9 321. "Elector" means any person who is a United States  
10 citizen 18 years of age or older and a resident of an election  
11 precinct at least 15 days prior to an election.

12 SEC. 4. Section 1303 of the Elections Code is amended to  
13 read:

14 1303. (a) Unless the principal act of a district provides that an  
15 election shall be held on one of the other dates specified in Chapter  
16 1 (commencing with Section 1000) of Division 1, or except as  
17 provided in Section 1500, or except as provided in subdivision (b),  
18 a general district election to elect members of the governing board  
19 shall be held in each special district subject to Division 10  
20 (commencing with Section 10000) on the first Tuesday following  
21 the first Monday in November of each odd-numbered year.

22 (b) Notwithstanding any other provision of law, a governing  
23 body of a special district may require, by resolution, that its  
24 elections of governing body members be held on the same day as  
25 the statewide general election. The resolution shall become  
26 operative upon the approval of the board of supervisors pursuant  
27 to Section 10404.

28 SEC. 5. Section 2187 of the Elections Code is amended to  
29 read:

30 2187. (a) Each county elections official shall send to the  
31 Secretary of State, in a format described by the Secretary of State,  
32 a summary statement of the number of voters in the county. The  
33 statement shall show the total number of voters in the county, the  
34 number registered as affiliated with each qualified political party,  
35 the number registered in nonqualified parties, and the number who  
36 declined to state any party affiliation. The statement shall also  
37 show the number of voters, by political affiliations, in each city,  
38 supervisorial district, Assembly district, Senate district, and  
39 congressional district located in whole or in part within the county.

1 (b) The Secretary of State, on the basis of the statements sent  
2 by the county elections officials and within 30 days after receiving  
3 those statements, shall compile a statewide list showing the  
4 number of voters, by party affiliations, in the state and in each  
5 county, city, supervisorial district, Assembly district, Senate  
6 district, and congressional district in the state. A copy of this list  
7 shall be made available, upon request, to any elector in this state.

8 (c) Each county that uses data processing equipment to store  
9 the information set forth in the affidavit of registration shall send  
10 to the Secretary of State one copy of the magnetic tape file with the  
11 information requested by the Secretary of State. Each county that  
12 does not use data processing storage shall send to the Secretary of  
13 State one copy of the index setting forth that information.

14 (d) The summary statements and the magnetic tape file copy or  
15 the index shall be sent at the following times:

16 (1) On the 135th day before each presidential primary and  
17 before each direct primary, with respect to voters registered on the  
18 154th day before the primary election.

19 (2) Not less than 50 days prior to the primary election, with  
20 respect to voters registered on the 60th day before the primary  
21 election.

22 (3) Not less than 7 days prior to the primary election, with  
23 respect to voters registered before the 14th day prior to the primary  
24 election.

25 (4) Not less than 50 days prior to the general election, with  
26 respect to voters registered on the 60th day before the general  
27 election.

28 (5) Not less than 7 days prior to the general election, with  
29 respect to voters registered before the 14th day prior to the general  
30 election.

31 (6) On or before March 1 of each odd-numbered year, with  
32 respect to voters registered as of February 10.

33 (e) The Secretary of State may adopt regulations prescribing  
34 the content and format of the magnetic tape file or index referred  
35 to in subdivision (c) and containing the registered voter  
36 information from the affidavits of registration.

37 (f) The Secretary of State may adopt regulations prescribing  
38 additional regular reporting times, except that the total number of  
39 reporting times in any one calendar year shall not exceed 12.



1 (g) The Secretary of State shall make the information from the  
2 magnetic tape files or the printed indexes available, under  
3 conditions prescribed by the Secretary of State, to any candidate  
4 for federal, state, or local office, to any committee for or against  
5 any proposed ballot measure, to any committee for or against any  
6 initiative or referendum measure for which legal publication is  
7 made, and to any person for election, scholarly or political  
8 research, or governmental purposes as determined by the  
9 Secretary of State.

10 SEC. 6. Section 2194 of the Elections Code is amended to  
11 read:

12 2194. (a) The voter registration card information identified  
13 in subdivision (a) of Section 6254.4 of the Government Code:

14 (1) Shall be confidential and shall not appear on any computer  
15 terminal, list, affidavit, duplicate affidavit, or other medium  
16 routinely available to the public at the county elections official's  
17 office.

18 (2) Shall be provided with respect to any voter, subject to the  
19 provisions of Section 2188, to any candidate for federal, state, or  
20 local office, to any committee for or against any initiative or  
21 referendum measure for which legal publication is made, and to  
22 any person for election, scholarly, journalistic, or political  
23 purposes, or for governmental purposes, as determined by the  
24 Secretary of State.

25 (b) The home address of any voter shall be released whenever  
26 the person's vote is challenged pursuant to Sections 15105 to  
27 15108, inclusive, or 14240 to 14253, inclusive. The address shall  
28 be released only to the challenger, to elections officials, and to  
29 other persons as necessary to make, defend against, or adjudicate  
30 the challenge.

31 (c) A governmental entity, or officer or employee thereof, may  
32 not be held civilly liable as a result of disclosure of the information  
33 referred to in this section, unless by a showing of gross negligence  
34 or willfulness.

35 ~~SEC. 7. Section 3103 of the Elections Code is amended to~~  
36 ~~read:~~

37 ~~3103. (a) Notwithstanding any other provision of the law, a~~  
38 ~~special absentee voter who qualifies pursuant to this section may~~  
39 ~~apply for a special absentee voter ballot. Any application made~~  
40 ~~pursuant to this section that is received by the elections official~~



1 prior to the 60th day before the election shall be kept and processed  
2 on or after the 60th day before the election.

3 (b) If a special absentee voter submits an application  
4 containing a statement that provides that due to military or other  
5 contingencies that preclude normal mail delivery, as specified by  
6 the voter, the voter cannot vote an absentee ballot during the  
7 normal absentee voting period, and the voter is otherwise qualified  
8 to vote as a special absentee voter, the elections official shall  
9 immediately send the voter a ballot in a form prescribed and  
10 provided by the Secretary of State, or a ballot and voter registration  
11 card if required by Section 3100. The elections official shall send  
12 with the ballot a list of all candidates who have qualified for the  
13 ballot by the 60th day before the election and a list of all measures  
14 that are to be submitted to the voters and on which the voter is  
15 qualified to vote. The voter shall be entitled to write in the name  
16 of any specific candidate seeking nomination or election to any  
17 office listed on the ballot.

18 (c) Notwithstanding Section 15341 or any other provision of  
19 law, any name written upon a ballot for a particular office pursuant  
20 to subdivision (b) shall be counted for the office or nomination.

21 (d) The elections official shall receive and canvass special  
22 absentee voter ballots described in this section under the same  
23 procedure as absent voter ballots, insofar as that procedure is not  
24 inconsistent with this section, except that prior to election day,  
25 special absentee voter ballots shall be secured separately in a  
26 sealed ballot box reserved for that purpose.

27 (e) In the event that a voter executes a special absentee ballot  
28 pursuant to this section and the military or other contingency does  
29 not exist during the normal absentee voting period, that voter may  
30 make an application for an absentee ballot pursuant to Sections  
31 3100 and 3101. If an application is made pursuant to this  
32 subdivision, the elections official shall reject the voted ballot  
33 previously cast and process the application in accordance with  
34 Chapter 1 (commencing with Section 3000).

35 (f) Notwithstanding any other provision of law, a special  
36 absentee voter who qualifies pursuant to this section may, by  
37 facsimile transmission, register to vote and apply for an absent  
38 voter's ballot. Upon request, the elections official shall send to the  
39 qualified special absentee voter either by mail or facsimile  
40 transmission the special absentee ballot or, if available, an absent

1 voter's ballot pursuant to Chapter 1 (commencing with Section  
2 3000).

3 ~~SEC. 8.~~ Section 3304 of the Elections Code is amended to  
4 read:

5 3304. (a) A voter described in Section 3302 may apply for an  
6 absent voter ballot. Any application made pursuant to this section  
7 that is received by the elections official prior to the 60th day before  
8 the election shall be kept and processed on or after the 60th day  
9 before the election.

10 (b) If the voter submits an application containing a statement  
11 that provides that due to contingencies that preclude normal mail  
12 delivery, as specified by the voter, the voter cannot vote an  
13 absentee ballot during the normal absentee voting period, and the  
14 voter is otherwise qualified to vote as provided in this chapter, the  
15 elections official shall immediately send the voter a ballot in a  
16 form prescribed and provided by the Secretary of State, or a ballot  
17 and voter registration card if required by Section 3307. The  
18 elections official shall send with the ballot a list of all candidates  
19 who have qualified for the ballot by the 60th day before the  
20 election and for whom the voter is qualified to vote. The voter shall  
21 be entitled to write in the name of any specific candidate seeking  
22 the nomination or election to any office listed on the ballot.

23 (c) Notwithstanding Section 15341 or any other provision of  
24 law, any name written upon a ballot for a particular office pursuant  
25 to subdivision (b) shall be counted for the office or nomination.

26 (d) The elections official shall receive and canvass the absent  
27 voter ballots described in this section under the same procedure as  
28 other absent voter ballots, insofar as that procedure is not  
29 inconsistent with this section, except that prior to election day, the  
30 absent voter ballots described in this section shall be secured  
31 separately in a sealed ballot box reserved for that purpose.

32 ~~SEC. 9.~~

33 *SEC. 7. Section 2194 of the Elections Code is amended to*  
34 *read:*

35 2194. (a) The voter registration card information identified  
36 in subdivision (a) of Section 6254.4 of the Government Code:

37 (1) Shall be confidential and shall not appear on any computer  
38 terminal, list, affidavit, duplicate affidavit, or other medium  
39 routinely available to the public at the county elections official's  
40 office.

(2) Shall be provided with respect to any voter, subject to the provisions of Section 2188, to any candidate for federal, state, or local office, to any committee for or against any initiative or referendum measure for which legal publication is made, and to any person for election, scholarly, journalistic, or political purposes, or for governmental purposes, as determined by the Secretary of State.

(b) *Notwithstanding any other provision of law, the California driver's license number, the California identification card number, the social security number, and any other unique identifier used by the State of California for purposes of voter identification shown on a voter registration card of a registered voter, or added to voter registration records to comply with the requirements of the Help America Vote Act of 2002 (P.L. 107-252), are confidential and shall not be disclosed to any person.*

(c) The home address of any voter shall be released whenever the person's vote is challenged pursuant to Sections ~~15003, 15005 to 15007~~ 15105 to 15108, inclusive, or 14240 to 14253, inclusive. The address shall be released only to the challenger, to elections officials, and to other persons as necessary to make, defend against, or adjudicate the challenge.

~~(e)~~

(d) A governmental entity, or officer or employee thereof, may not be held civilly liable as a result of disclosure of the information referred to in this section, unless by a showing of gross negligence or willfulness.

SEC. 8. Section 4101 of the Elections Code is amended to read:

4101. Notwithstanding Sections 13300 and 13303, the elections official shall not commence to mail the combined sample ballot and mail ballot prior to the 29th day before the election and shall complete the mailing by the 10th day before the election.

~~SEC. 10.—~~

SEC. 9. *Section 6022 of the Elections Code is repealed.*

~~6022.—The proportions of alternate delegates elected at the district level, at-large, and as unpledged and pledged add-on party and elected officials alternates shall be the same as the proportions of delegates elected in those categories.~~

~~Members of Congress serving as unpledged delegates shall not be entitled to name a replacement.~~

1     ~~SEC. 10. Section 6083 of the Elections Code is repealed.~~

2     ~~6083. All persons who intend to seek election as delegates or~~  
3 ~~alternate delegates during any step in the delegate selection~~  
4 ~~process shall file a declaration of candidate for delegate with the~~  
5 ~~Democratic State Central Committee during the time periods~~  
6 ~~designated by the committee.~~

7     ~~A candidate for district level delegate shall reside in the~~  
8 ~~congressional district from which he or she wishes to be selected~~  
9 ~~as a delegate, shall be a member of the Democratic Party, and shall~~  
10 ~~sign a declaration pledging his or her support for that presidential~~  
11 ~~candidate or uncommitted delegation before he or she becomes a~~  
12 ~~bona fide candidate for delegate. The pledge of support for a~~  
13 ~~presidential candidate shall be binding on the delegate until the~~  
14 ~~presidential candidate agrees to release the delegate from his or her~~  
15 ~~pledge.~~

16     ~~The Democratic State Central Committee shall make these~~  
17 ~~declarations available to the steering committee of each~~  
18 ~~presidential candidate or uncommitted delegation.~~

19     ~~The pledge of support shall be in substantially the following~~  
20 ~~form:~~

21  
22                     Declaration of Candidate for Delegate  
23

24     ~~I, \_\_\_\_\_, reside and am registered to vote as a Democrat at No.~~  
25 ~~\_\_\_\_\_ Street, in the City (or Town) of \_\_\_\_\_, County of \_\_\_\_\_,~~  
26 ~~in the \_\_\_\_\_ congressional district, State of California.~~

27     ~~I pledge my support if elected as a delegate to the \_\_\_\_\_~~  
28 ~~Democratic National Convention to \_\_\_\_\_. I understand that~~  
29 ~~California law requires me to support this candidate at the~~  
30 ~~Convention on all ballots until the candidate agrees to release me~~  
31 ~~from my pledge.~~

32     ~~(This statement of preference shall be omitted where the~~  
33 ~~candidate for delegate is part of a group expressing no preference~~  
34 ~~as to a particular candidate.)~~

35     ~~I express no preference as to a particular candidate. The~~  
36 ~~chairperson of my group is \_\_\_\_\_. (This statement shall be~~  
37 ~~omitted where the candidate for delegate is part of a group~~  
38 ~~preferring a particular candidate.)~~

39     ~~As a delegate, I shall, in all good conscience, reflect the~~  
40 ~~sentiments of those who elected me.~~

1 Date \_\_\_\_\_ Place \_\_\_\_\_  
2 Signed \_\_\_\_\_

3  
4 *SEC. 11. Section 6084 of the Elections Code is repealed.*

5 ~~6084. On or before the 56th day preceding the presidential~~  
6 ~~primary, the Democratic State Central Committee shall transmit to~~  
7 ~~the steering committee of each presidential candidate and~~  
8 ~~uncommitted delegation a list of all persons who have filed a~~  
9 ~~declaration of candidacy for delegate pledged to that presidential~~  
10 ~~candidate or uncommitted delegation.~~

11 *SEC. 12. Section 6085 of the Elections Code is repealed.*

12 ~~6085. Delegate candidates shall be considered bona fide~~  
13 ~~supporters of the presidential candidate or uncommitted~~  
14 ~~delegation that they have pledged to support, unless the steering~~  
15 ~~committee states otherwise in writing to the Democratic State~~  
16 ~~Central Committee by the time specified in the delegate selection~~  
17 ~~and affirmative action plan.~~

18 ~~Delegate candidates removed from the list of bona fide~~  
19 ~~supporters by the steering committee of a presidential candidate or~~  
20 ~~uncommitted delegation may not be voted on as a delegate~~  
21 ~~candidate or alternate delegate candidate pledged to that~~  
22 ~~presidential candidate or uncommitted delegation.~~

23 ~~Except as provided in this section, no delegate candidate may~~  
24 ~~be removed from the list of bona fide supporters unless at least~~  
25 ~~three names remain for each delegate or alternate delegate~~  
26 ~~allocated to each congressional district pursuant to Section 6023.~~

27 *SEC. 13. Section 6086 of the Elections Code is amended to*  
28 *read:*

29 ~~6086. On the 44th day~~ *a day specified by the Democratic State*  
30 *Central Committee* ~~preceding the presidential primary election, at~~  
31 ~~3 p.m., the caucus chairperson in each congressional district shall~~  
32 ~~convene a caucus for the purpose of electing potential delegates~~  
33 ~~and alternate delegates. The steering committee of each candidate~~  
34 ~~or uncommitted delegation shall have sole authority to establish~~  
35 ~~rules and procedures, including the naming of caucus~~  
36 ~~chairpersons, by which the caucuses of that candidate or~~  
37 ~~uncommitted delegation shall be conducted. The rules and~~  
38 ~~procedures shall be uniform statewide, and in compliance with the~~  
39 ~~Democratic State Central Committee's delegate selection and~~  
40 ~~affirmative action plan. Each caucus shall elect a slate of delegate~~

nominees in each congressional district pursuant to Article 2 (commencing with Section 6020), ranked in the manner specified by this section. The slate shall be transmitted to the steering committee of each candidate and uncommitted delegation.

Each participant at each caucus shall reside in, and be a registered Democrat of, the congressional district of the caucus he or she attends and each shall sign a statement of support for that presidential candidate or uncommitted delegation. Within five days after the convening of the caucus, the steering committee of each candidate or uncommitted delegation shall rank the delegate candidates from the slate of delegate candidates provided by each caucus pursuant to procedures in compliance with the Democratic State Central Committee's delegate selection and affirmative action plan. Immediately thereafter, the chairperson of a steering committee shall file with the Secretary of State a statement containing the names of delegate candidates in ranked order from each congressional district. In all cases, the slate for each congressional district shall be equal to the number of delegates and alternate delegates allotted to each congressional district pursuant to Section 6023.

*SEC. 14. Section 6201 of the Elections Code is amended to read:*

6201. (a) District level delegate positions shall be allocated to presidential preferences through a primary proportional representation system.

(b) The ~~239~~ 241 district-level delegates and 40 alternates shall be elected by preprimary caucuses to slate delegates followed by a presidential preference primary.

(1) The preprimary caucuses shall be conducted on ~~Sunday, January 23, 2000, at 3 p.m.~~ a date and time specified by the Democratic State Central Committee.

(2) The presidential preference primary shall be conducted on ~~Tuesday, March 7, 2000~~ the date provided by Section 1202.

(c) The ~~239~~ 241 delegates and 40 alternates shall be apportioned to districts as follows:

District	Delegates			Alternates		
	Females	Males	Total	Females	Males	Total
#1	3	2	5	0	1	1
#2	2	3	5	1	0	1

1	#3	3	2	5	0	±	±
2	#4	2	3	5	±	0	±
3	#5	3	2	5	0	±	±
4	#6	3	3	6	±	0	±
5	#7	2	3	5	±	0	±
6	#8	3	3	6	0	±	±
7	#9	3	3	6	0	±	±
8	#10	3	2	5	0	±	±
9	#11	2	2	4	±	0	±
10	#12	2	3	5	±	0	±
11	#13	3	2	5	0	±	±
12	#14	2	3	5	±	0	±
13	#15	3	2	5	0	±	±
14	#16	2	3	5	±	0	±
15	#17	3	2	5	0	±	±
16	#18	2	2	4	±	0	±
17	#19	2	2	4	0	±	±
18	#20	2	2	4	0	0	0
19	#21	2	2	4	0	0	0
20	#22	2	3	5	±	0	±
21	#23	3	2	5	0	±	±
22	#24	2	3	5	±	0	±
23	#25	2	2	4	0	0	0
24	#26	2	2	4	±	0	±
25	#27	3	2	5	0	±	±
26	#28	2	2	4	±	0	±
27	#29	3	3	6	0	±	±
28	#30	2	2	4	0	0	0
29	#31	2	2	4	0	0	0
30	#32	2	3	5	±	0	±
31	#33	2	2	4	0	0	0
32	#34	3	2	5	0	±	±
33	#35	2	3	5	±	0	±
34	#36	3	2	5	0	±	±
35	#37	2	2	4	±	0	±
36	#38	2	3	5	±	0	±
37	#39	2	2	4	0	±	±
38	#40	2	2	4	0	0	0
39	#41	2	2	4	0	0	0
	#42	2	2	4	0	±	±
	#43	2	2	4	0	0	0
	#44	2	2	4	0	0	0
	#45	2	2	4	±	0	±
	#46	2	2	4	0	0	0
	#47	2	2	4	0	±	±
	#48	2	2	4	0	0	0



1	#49	3	2	5	0	1	1
2	#50	2	2	4	1	0	1
3	#51	2	2	4	1	0	1
4	#52	2	2	4	0	1	1

5 This apportionment shall be based on a formula giving equal  
6 weight to the vote for the Democratic candidates in the most recent  
7 presidential and gubernatorial elections.

8 (d) (1) An individual may qualify as a candidate for  
9 district-level delegate or alternate to the 2000 Democratic  
10 National Convention by filing a statement of candidacy and pledge  
11 of support with the state chair at the party office at ~~911 20th Street~~  
12 *1401 21st Street, Suite 100*, Sacramento, California 95814.  
13 Statements can be requested from the state party beginning  
14 ~~Tuesday, November 9, 1999~~ *on a date specified by the Democratic*  
15 *State Central Committee*. Candidacy statements can be returned  
16 beginning ~~Tuesday, December 14, 1999~~, *at a date and time*  
17 *specified by the Democratic State Central Committee* and must be  
18 received by the party office no later than ~~5 p.m., Thursday, January~~  
19 ~~6, 2000~~ *a date and time specified by the Democratic State Central*  
20 *Committee*.

21 (2) All delegate candidates shall be identified as to presidential  
22 preference, uncommitted or unpledged status at all levels which  
23 determine presidential preference.

24 (e) The California primary election is a “binding” primary.  
25 Accordingly, delegate and alternate positions shall be allocated so  
26 as to fairly reflect the expressed presidential or uncommitted status  
27 of the primary voters in each district. Therefore, the national  
28 convention delegates elected at the district level shall be allocated  
29 in proportion to the percentage of the primary vote won in that  
30 district by each preference, except that preferences falling below  
31 a 15 percent threshold shall not be awarded any delegates or  
32 alternates.

33 (f) If no presidential preference reaches a 15 percent threshold,  
34 the threshold shall be the percentage of the vote received at each  
35 level of the delegate selection process by the front-runner minus  
36 10 percent.

37 (g) Presidential candidates shall certify their authorized  
38 representatives to the state party chair ~~no later than 5 p.m.,~~  
39 ~~December 16, 1999~~ *by a date and time specified by the Democratic*

1 *State Central Committee*. The state party chair shall convey to the  
 2 presidential candidate, or that candidate's authorized  
 3 representative or representatives, ~~not later than Tuesday, January~~  
 4 ~~11, 2000, at 5 p.m. by a date and time specified by the Democratic~~  
 5 *State Central Committee*, a list of all persons who have filed for  
 6 delegate or alternate pledged to that presidential candidate. Each  
 7 presidential candidate, or that candidate's authorized  
 8 representative or representatives, shall file with the state party  
 9 chair by ~~Tuesday, January 18, 2000, at 5 p.m. a date and time~~  
 10 ~~specified by the Democratic State Central Committee~~, a list of all  
 11 the candidates he or she has approved, provided that approval is  
 12 given to at least three times the number of candidates for delegate  
 13 and three times the number of candidates for alternates to be  
 14 selected. Failure to respond shall be deemed approval of all  
 15 delegate and alternate candidates submitted to the presidential  
 16 candidate unless the presidential candidate, or the candidate's  
 17 authorized representative or representatives, signifies otherwise in  
 18 writing to the state party chair no later than ~~Tuesday, January 18,~~  
 19 ~~2000, at 5 p.m. a date specified by the Democratic State Central~~  
 20 *Committee*.

21 (h) ~~On Sunday, January 23, 2000, candidate~~ *Candidate* and  
 22 uncommitted caucuses shall be held *on a date and time specified*  
 23 *by the Democratic State Central Committee* to elect a slate of  
 24 potential delegates equal to at least the number of delegates plus  
 25 alternates allocated to the congressional district. The California  
 26 delegation shall be equally divided between delegate men and  
 27 delegate women, and alternate men and alternate women. These  
 28 goals apply to the California delegation as a whole. Delegates and  
 29 alternates shall be considered separate groups for purposes of  
 30 achieving equal division.

31 Provisions for achieving equal division at the district level shall  
 32 be as follows: Each candidate and uncommitted caucus shall elect  
 33 a slate of potential delegates equal to at least the number of  
 34 delegates plus alternates allocated to that congressional district.  
 35 Potential delegates shall be ranked pursuant to procedures in  
 36 compliance with the Democratic State Central Committee's  
 37 delegate selection and affirmative action plan. Following the  
 38 primary, delegate and alternate positions allocated to a presidential  
 39 candidate or uncommitted delegation shall be filled from the list  
 40 of ranked potential delegates in the order in which they are ranked.

(i) The State Democratic Chair shall certify in writing to the Secretary of the Democratic National Committee (DNC) the election of the state's district level delegates and alternates to the Democratic National Convention within three days after their election.

*SEC. 15. Section 6202 of the Elections Code is repealed.*

~~6202. (a) The following individuals shall constitute the unpledged delegate positions:~~

~~(1) Members of the DNC who legally reside in the state.~~

~~(2) The Governor if he or she is a Democrat.~~

~~(3) All Democratic Members of Congress who legally reside in the state.~~

~~(4) All "distinguished party leader" delegates who legally reside in the state.~~

~~(5) Five add-on delegates.~~

~~(b) The procedures to be used in selecting the five add-on unpledged delegates shall be as follows:~~

~~(1) The add-on delegates shall be nominated by the state party chair and elected at the meeting of district level delegates on Saturday, April 8, 2000. These delegates shall be selected after the election of district level delegates and alternates, and prior to the selection of the pledged party and elected official delegates.~~

~~(2) The equal division and affirmative action provisions of Rule 9A of the Delegate Selection Rules for the 2000 Democratic National Convention apply to the selection of these add-on unpledged delegates.~~

~~(3) The list from which the selecting body chooses the add-on unpledged delegates shall, at a minimum, contain two names for every unpledged add-on position to be filled.~~

~~(c) The process for certification of the unpledged party leader and elected official delegates is as follows:~~

~~(1) Not later than March 1, 2000, the Secretary of the Democratic National Committee shall officially confirm to the State Democratic Chair the names of the unpledged delegates who legally reside in California.~~

~~(2) Official confirmation by the Secretary shall constitute verification of the unpledged delegates from the categories indicated above.~~

~~(3) Add-on unpledged delegates, selected pursuant to the Call for the 2000 Democratic National Convention, shall be certified~~

1 in writing to the Secretary of the DNC within three days after their  
2 selection.

3 *SEC. 16. Section 6203 of the Elections Code is repealed.*

4 ~~6203. (a) California is allotted 48 pledged party leader and~~  
5 ~~elected official delegates.~~

6 ~~(b) Individuals shall be eligible for the pledged party leader and~~  
7 ~~elected official delegate positions according to the following~~  
8 ~~priority: big city mayors and statewide elected officials (to be~~  
9 ~~given equal consideration), state legislative leaders, state~~  
10 ~~legislators, and other state, county, and local elected officials and~~  
11 ~~party leaders.~~

12 ~~(c) These delegates shall be selected by a committee consisting~~  
13 ~~of all the district-level delegates.~~

14 ~~(d) Selection of these delegates shall occur on Sunday, April 9,~~  
15 ~~2000, at a site and time to be determined by the state party chair.~~  
16 ~~The selection of these delegates shall be after the election of~~  
17 ~~district delegates and alternates and the unpledged add-on~~  
18 ~~delegates and prior to the selection of at-large delegates and~~  
19 ~~alternates.~~

20 ~~(e) An individual may qualify as a candidate for a position as~~  
21 ~~a pledged party leader and elected official delegate by filing a~~  
22 ~~statement of candidacy and pledge of support with the state party~~  
23 ~~chair that includes all the provisions included in the statement of~~  
24 ~~candidacy and pledge of support required of district-level~~  
25 ~~candidates. An individual may or may not previously have filed a~~  
26 ~~statement of candidacy and still be eligible to file under this~~  
27 ~~category. Statements shall be available at the state party beginning~~  
28 ~~December 28, 1999. Statements shall be accepted beginning~~  
29 ~~January 10, 2000, and ending March 9, 2000, at 5 p.m.~~

30 ~~(f) These pledged party leader and elected official slots shall be~~  
31 ~~allocated among presidential preferences on the same basis as the~~  
32 ~~at-large delegates.~~

33 ~~(g) Delegate candidates shall be identified as to presidential or~~  
34 ~~uncommitted status at the pledged party and elected official level.~~  
35 ~~If persons eligible for pledged party and elected official delegate~~  
36 ~~positions have not made known their presidential preference as~~  
37 ~~candidates for district level or at-large delegate positions, their~~  
38 ~~preference shall be ascertained through the aforementioned~~  
39 ~~required qualification statement.~~

~~(h) The state party chair shall convey to the presidential candidate, or that candidate's authorized representative or representatives, not later than March 15, 2000, a list of all persons who have filed for a party and elected official delegate pledged to that presidential candidate. Each presidential candidate, or that candidate's authorized representative or representatives, shall then file with the state party chair, by March 21, 2000, a list of all the candidates he or she has approved, provided that approval is given to at least two times the number of candidates for delegate to be selected. Failure to respond shall be deemed approval of all delegate candidates submitted to the presidential candidate unless the presidential candidate, or the candidate's authorized representative or representatives, signifies otherwise in writing to the state party chair no later than 5 p.m. on March 21, 2000.~~

~~(i) Alternates are not selected at the pledged party leader and elected official level. These alternates are combined with the at-large alternates and selected as one unit.~~

~~(j) The state party chair shall certify in writing to the Secretary of the DNC the election of the state's pledged party leader and elected official delegates and alternates to the Democratic National Convention within three days after their election.~~

*SEC. 17. Section 6204 of the Elections Code is repealed.*

~~6204. (a) The State of California is allotted 80 at-large delegates and 21 at-large alternates.~~

~~(b) These delegates and alternates shall be selected by a committee consisting of all the district-level delegates on Sunday, April 9, 2000. The selection shall occur after all unpledged delegates and pledged party leader and elected official delegates have been selected.~~

~~(c) At-large delegate and alternate positions shall be allocated among presidential preferences according to the statewide primary vote. Preferences which have not attained a 15 percent threshold on a statewide basis shall not be entitled to any at-large delegates.~~

~~If a given presidential preference is entitled to one or more delegate positions but would not otherwise be entitled to an alternate position, that preference shall be allotted one at-large alternate position.~~

~~(d) In the selection of the at-large delegation, priority of consideration shall be given to African Americans, Hispanics, Native Americans, Asian/Pacific Americans, lesbian women, gay~~

men, the disabled, and women. The election of at-large delegates and alternates shall be used, if necessary, to achieve the equal division of positions between men and women, and may be used to achieve the representation goals established in the affirmative action section of this plan. Delegates and alternates are to be considered separate groups for this purpose.

(e) ~~Persons desiring to seek these at-large delegate or alternate positions may file a statement of candidacy designating their presidential or uncommitted preference and a signed pledge of support for the presidential candidates (including uncommitted status) with the state party by 5 p.m., March 21, 2000. The state party chair shall convey to the presidential candidate, or that candidate's authorized representative or representatives, not later than March 28, 2000, a list of all persons who have filed for delegate or alternate pledged to that presidential candidate. Each presidential candidate, or that candidate's authorized representative or representatives, at the meeting of the district-level delegates on April 9, 2000, must provide to the State Democratic Chair, within 30 minutes after the pledged party leaders and elected officials have been selected by the committee of district-level delegates, a list of all the candidates he or she has approved, provided that, at a minimum, two names remain for every national convention delegate or alternate position to which the presidential candidate is entitled.~~

(f) ~~The statement of candidacy for at-large delegates and for at-large alternates shall be the same. After the at-large delegates are elected by the district-level delegates, those persons not chosen shall then be considered candidates for at-large alternate positions unless they specify otherwise when filing.~~

(g) ~~If a presidential candidate is no longer a candidate at the time of selection of the at-large delegates, those at-large slots that would have been allocated to the candidate shall be proportionally divided among the remaining preferences entitled to an allocation.~~

(h) ~~The state party chair shall certify in writing to the Secretary of the DNC the election of the state's at-large delegates and alternates to the Democratic National Convention within three days after their election.~~

SEC. 18. Section 10405 of the Elections Code is amended to read:

1 10405. Notwithstanding any other provision of law, the  
2 Registrar-Recorder of the County of Los Angeles and the Registrar  
3 of Voters of Orange County may, pursuant to agreement between  
4 those counties, perform, either on behalf of the other, any and all  
5 duties relating to the conducting of the election, the counting of  
6 votes, and any other election procedures to the extent that those  
7 duties are for the conduct of an election of governing board  
8 members for any school district whose territory lies within both the  
9 County of Los Angeles and Orange County, pursuant to the  
10 consolidation of that election with a primary, municipal, or general  
11 election under Sections 1302 and 10404.5.

12 ~~SEC. 11.~~

13 *SEC. 19.* Section 10411 of the Elections Code is amended to  
14 read:

15 10411. In case of the consolidation of any election called by  
16 the legislative body of a city, district or other political subdivision  
17 with an election held in the county or counties in which the city,  
18 district or other political subdivision is situated, the governing  
19 body of the city, district or other political subdivision may  
20 authorize the board of supervisors to canvass the returns of the  
21 election. If this authority is given:

22 (a) The election shall be held in all respects as if there were only  
23 one election.

24 (b) Only one form of ballot shall be used.

25 (c) The returns of the election need not be canvassed by the  
26 legislative body of the authorizing city, district or other political  
27 subdivision.

28 If such authority is given to the board of supervisors, the canvass  
29 shall be made in accordance with Article 1 (commencing with  
30 Section 15300) of Chapter 4 of Division 15.

31 ~~SEC. 12.~~

32 *SEC. 20.* Section 14105 of the Elections Code is amended to  
33 read:

34 14105. The elections official shall furnish to the precinct  
35 officers all of the following:

36 (a) Printed copies of the indexes.

37 (b) Necessary printed blanks for the roster, tally sheets, lists of  
38 voters, declarations, and returns.

39 (c) Envelopes in which to enclose returns.



1 (d) Not less than six nor more than 12 instruction cards to each  
2 precinct for the guidance of voters in obtaining and marking their  
3 ballots. On each card shall be printed necessary instructions and  
4 the provisions of Sections 14225, 14279, 14280, 14287, 14291,  
5 14295, 15271, 15272, 15273, 15276, 15277, 15278, 18370,  
6 18380, 18403, 18563, and 18569.

7 (e) A digest of the election laws with any further instructions  
8 the county elections official may desire to make.

9 (f) An American flag of sufficient size to adequately assist the  
10 voter in identifying the polling place. The flag is to be erected at  
11 or near the polling place on election day.

12 (g) A ballot container, properly marked on the outside  
13 indicating its contents.

14 (h) When it is necessary to supply additional ballot containers,  
15 these additional containers shall also be marked on the outside,  
16 indicating their contents.

17 (i) Sufficient ink pads and stamps for each booth. The stamps  
18 shall be one solid piece and shall be made so that a cross (+) may  
19 be made with either end. If ballots are to be counted by vote  
20 tabulating equipment, an adequate supply of other approved  
21 voting devices shall be furnished. All voting stamps or voting  
22 devices shall be maintained in good usable condition.

23 (j) When a candidate or candidates have qualified to have his  
24 or her or their names counted pursuant to Article 3 (commencing  
25 with Section 15340) of Chapter 4 of Division 15, a sufficient  
26 number of ink pens or pencils in the voting booths for the purpose  
27 of writing in on the ballot the name of the candidate or candidates.

28 (k) A sufficient number of cards to each polling place  
29 containing the telephone number of the office to which a voter may  
30 call to obtain information about his or her precinct location. The  
31 card shall state that the voter may call collect during polling hours.

32 (l) An identifying badge or insignia for each member of the  
33 precinct board. The member shall print his or her name and the  
34 precinct number thereon and shall wear the badge or insignia at all  
35 times in the performance of duties, so as to be readily identified as  
36 a member of the precinct board by all persons entering the polling  
37 place.

38 (m) Facsimile copies of the ballot containing ballot measures  
39 and ballot instructions printed in Spanish or other languages as  
40 provided in Section 14201.

(n) Sufficient copies of the notices to be posted on the indexes used at the polls. The notice shall read as follows: “This index shall not be marked in any manner except by a member of the precinct board acting pursuant to Section 14297 of the Elections Code. Any person who removes, tears, marks, or otherwise defaces this index with the intent to falsify or prevent others from readily ascertaining the name, address, or political affiliation of any voter, or the fact that a voter has or has not voted, is guilty of a misdemeanor.”

(o) A roster of voters for each precinct in the form prescribed in Section 14107.

(p) In addition, the elections official may, with the approval of the board of supervisors, furnish the original books of affidavits of registration or other material necessary to verify signatures to the precinct officers.

This section shall become operative on January 1, 1990.

~~SEC. 13.—~~

*SEC. 21. Section 14105 of the Elections Code is amended to read:*

14105. The elections official shall furnish to the precinct officers all of the following:

(a) Printed copies of the indexes.

(b) Necessary printed blanks for the roster, tally sheets, lists of voters, declarations, and returns.

(c) Envelopes in which to enclose returns.

(d) Not less than six nor more than 12 instruction cards to each precinct for the guidance of voters in obtaining and marking their ballots. On each card shall be printed necessary instructions and the provisions of Sections 14225, 14279, 14280, 14287, 14291, 14295, ~~15051, 15054, 15055, 15059, 15060, 15061, 15271, 15272, 15273, 15276, 15277, 15278,~~ 18370, 18380, 18403, 18563, and 18569.

(e) A digest of the election laws with any further instructions the county elections official may desire to make.

(f) An American flag of sufficient size to adequately assist the voter in identifying the polling place. The flag is to be erected at or near the polling place on election day.

(g) A ballot container, properly marked on the outside indicating its contents.

1 (h) When it is necessary to supply additional ballot containers,  
2 these additional containers shall also be marked on the outside,  
3 indicating their contents.

4 (i) Sufficient ink pads and stamps for each booth. The stamps  
5 shall be one solid piece and shall be made so that a cross (+) may  
6 be made with either end. If ballots are to be counted by vote  
7 tabulating equipment, an adequate supply of other approved  
8 voting devices shall be furnished. All voting stamps or voting  
9 devices shall be maintained in good usable condition.

10 (j) When a candidate or candidates have qualified to have his  
11 or her or their names counted pursuant to ~~Chapter 7 Article 3~~  
12 ~~(commencing with Section 15350)~~ 15340) of Chapter 4 of  
13 Division 15, a sufficient number of ink pens or pencils in the voting  
14 booths for the purpose of writing in on the ballot the name of the  
15 candidate or candidates.

16 (k) A sufficient number of cards to each polling place  
17 containing the telephone number of the office to which a voter may  
18 call to obtain information about his or her precinct location. The  
19 card shall state that the voter may call collect during polling hours.

20 (l) An identifying badge or insignia for each member of the  
21 precinct board. The member shall print his or her name and the  
22 precinct number thereon and shall wear the badge or insignia at all  
23 times in the performance of duties, so as to be readily identified as  
24 a member of the precinct board by all persons entering the polling  
25 place.

26 (m) Facsimile copies of the ballot containing ballot measures  
27 and ballot instructions printed in Spanish or other languages as  
28 provided in Section 14201.

29 (n) Sufficient copies of the notices to be posted on the indexes  
30 used at the polls. The notice shall read as follows: "This index shall  
31 not be marked in any manner except by a member of the precinct  
32 board acting pursuant to Section 14297 of the Elections Code. Any  
33 person who removes, tears, marks, or otherwise defaces this index  
34 with the intent to falsify or prevent others from readily  
35 ascertaining the name, address, or political affiliation of any voter,  
36 or the fact that a voter has or has not voted, is guilty of a  
37 misdemeanor."

38 (o) A roster of voters for each precinct in the form prescribed  
39 in Section 14107.

(p) In addition, the elections official may, with the approval of the board of supervisors, furnish the original books of affidavits of registration or other material necessary to verify signatures to the precinct officers.

(q) *Printed copies of the Voter Bill of Rights, as supplied by the Secretary of State. The Voter Bill of Rights shall be conspicuously posted both inside and outside every polling place.*

This section shall become operative on January 1, 1990.

SEC. 22. Section 15641 of the Elections Code is amended to read:

15641. Section 15001 shall apply unless a court orders the program held pending the conclusion of litigation challenging the outcome of an election. If court action or an official recount is initiated while the program is on deposit, the Secretary of State shall make the program available to the court or the elections official in whose jurisdiction the court action or recount takes place, upon written request.

~~SEC. 14.—~~

SEC. 23. Section 17502 of the Elections Code is amended to read:

17502. (a) The following provisions shall apply to those elections where candidates for one or more of the following offices are voted upon: President, Vice President, United States Senator, and United States Representative.

(b) The elections official shall preserve the following records reflecting the appointment of precinct officials until 22 months from the date of any election.

(1) Precinct officers' declaration of intention required by Section 12321.

(2) Precinct board member applications specified in Section 12300.

(3) Order appointing members of the several precinct boards and designating the polling places specified in Section 12286.

(4) Nominations for appointment to the precinct board by the county central committee of each qualified political party specified in Section 12306.

(5) Written orders appointing precinct board members or designating the polling place for the precinct pursuant to Section 12327.

~~SEC. 15.—~~

1     SEC. 24. Section 17503 of the Elections Code is amended to  
2 read:

3     17503. (a) The following provisions shall apply to all state or  
4 local elections not provided for in subdivision (a) of Section  
5 17502. An election is not deemed a state or local election if votes  
6 for candidates for federal office may be cast on the same ballot as  
7 votes for candidates for state or local office.

8     (b) The elections official shall preserve the following records  
9 reflecting the appointment of precinct officials until six months  
10 from the date of an election.

11     (1) Precinct officers' declaration of intention required by  
12 Section 12321.

13     (2) Precinct board member applications specified in Section  
14 12300.

15     (3) Order appointing members of the several precinct boards  
16 and designating the polling places specified in Section 12286.

17     (4) Nominations for appointment to the precinct board by the  
18 county central committee of each qualified political party  
19 specified in Section 12306.

20     (5) Written orders appointing precinct board members or  
21 designating the polling place for the precinct pursuant to Section  
22 12327.

23     ~~SEC. 16.—~~

24     SEC. 25. Section 19005 of the Elections Code is amended to  
25 read:

26     19005. In the case of electrical failure or other emergency, the  
27 official conducting the election may direct that ballots may be  
28 marked by pencil or ink. In that event, the elections official may  
29 duplicate the voted ballot cards as provided in Section 15210 and  
30 count the duplicate ballots by automatic tabulating device, or may  
31 count the voted ballots pursuant to Article 5 (commencing with  
32 Section 15270) of Chapter 3 of Division 15.

33     SEC. 26. *Section 7 of this bill incorporates amendments to*  
34 *Section 2194 of the Elections Code proposed by both this bill and*  
35 *SB 613. It shall only become operative if (1) both bills are enacted*  
36 *and become effective on or before January 1, 2004, (2) each bill*  
37 *amends Section 2194 of the Elections Code, and (3) this bill is*  
38 *enacted after SB 613, in which case Section 6 of this bill shall not*  
39 *become operative.*

1     *SEC. 27. Section 21 of this bill incorporates amendments to*  
2     *Section 14105 of the Elections Code proposed by both this bill and*  
3     *AB 177. It shall only become operative if (1) both bills are enacted*  
4     *and become effective on or before January 1, 2004, (2) each bill*  
5     *amends Section 14105 of the Elections Code, and (3) this bill is*  
6     *enacted after AB 177, in which case Section 20 of this bill shall not*  
7     *become operative.*

